

Weight into the opposite Scale, in which, if I succeed, the Merits of the Lower House will preponderate.

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Let us then take for granted, at present, that the Conduct of both Houses, in relation to the Assessment Bills, has proceeded entirely from Principles of Conscience; and that the Lower House were right, in persevering in a Mode of Taxation which they thought most equitable; and that the Upper House were equally right in rejecting it, because they thought it unequal, and pregnant with Oppression. What is to be done then, when the Branches of a dependent Legislature cannot come to any Agreement, in Matters of the highest Importance to the Interest of the Community? Is there no Mode of Proceeding established in our Constitution, by which Obstructions to all public Business, arising from such an unhappy Contrariety of Sentiments, may be removed? I apprehend there is, but I deny that the Opinion of a Lawyer, upon a Case stated *ex Parte*, or upon any Case whatever, is the constitutional Mode of settling such Differences, and I hope I have proved it is not, to the Conviction of all who have not shut their Eyes against Truth. I will take upon me to assert then, that we have a Right, in all such Cases, to appeal to His Majesty in Council, as the only proper and constitutional Judicature, for the Decision of all public Contests between the Government and People in the Colonies. This being admitted (and I think few will be hardy enough to dispute it) let us consider what has been the Conduct of both Houses upon this Head. There has been scarce a Session, since the Commencement of the War, that the Lower House has not sent up a Bill to the Upper House, for the Support of an Agent in London, with a View of laying the Grievances of the People before His Majesty, and bringing all their Disputes with the Government to a final Determination; but this Bill, reasonable as it is, and most indispensibly necessary to the public Peace and Welfare of the Colony, has never been so fortunate as to meet with the Concurrence of the Upper House; the very last Session having produced a fresh Instance of their determined Resolution to keep from the People the only proper Means of carrying their Complaints before His Majesty, and producing a definitive Accommodation of all the Disputes, which have so long distracted our public Consultations, and kept the Province in a continual State of Languor, Animosity and Disunion. If then the Misunderstanding between the two Houses is, in the Opinion of every Man of common Observation, irreconcilable among themselves, and has been so for many Years past; if the Lower House have made use of every Opportunity, since the Commencement of the War, of pushing for the only Expedient for the Establishment of Harmony between the several Branches of the Legislature, by submitting their Disputes to His Majesty's Decision, and if this Measure has always been defeated by the Upper House, I think, without entering into any formal Discussion of the Merits of the Bill, it

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